
UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

DUANE B. HARRIS, §
§
Plaintiff, §
§
versus § CIVIL ACTION NO. 1:04-CV-595
§
DAVID DOUGHTY, *et al.*, §
§
Defendants. §

**MEMORANDUM ORDER OVERRULING PLAINTIFF'S OBJECTIONS AND
ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff Duane B. Harris, a prisoner confined at the Stiles Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se* and *in forma pauperis*, filed this civil rights action pursuant to 42 U.S.C. § 1983 against twenty-two defendants.

The court ordered that this matter be referred to the Honorable Earl S. Hines, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge. The magistrate judge recommends granting the defendants' motion for summary judgment.

The court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the record, pleadings, and all available evidence. Plaintiff filed objections to the magistrate judge's Report and Recommendation.

The court has conducted a *de novo* review of the objections in relation to the pleadings and the applicable law. *See* FED. R. CIV. P. 72(b). After careful consideration, the court concludes the objections are without merit. Plaintiff has not demonstrated that the defendants were

deliberately indifferent to his serious medical needs. Plaintiff complains that the defendants did not provide complete copies of his extensive medical and grievance records. However, there is no indication that the omitted portions of the records were relevant to this case.

ORDER

Accordingly, plaintiff's objections are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is **ADOPTED**. The defendants' motion for summary judgment is **GRANTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendation.

SIGNED at Beaumont, Texas, this 25th day of September, 2007.



MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE